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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,023	10/24/2005	William C. Walker	022916.0003US2	2800
24392 7590 07/28/2008 FISH & ASSOCIATES, PC ROBERT D. FISH 2603 Main Street Suite 1050 Irvine, CA 92614-6232				
EXAMINER RINEHART, KENNETH				
ART UNIT		PAPER NUMBER		
3749				
MAIL DATE		DELIVERY MODE		
07/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/517,023

Applicant(s)

WALKER, WILLIAM C.

Examiner

Kenneth B. Rinehart

Art Unit

3749

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-20 and 22-29 is/are rejected.
- 7) ☒ Claim(s) 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 18, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Oeck (4,412,889).

Oeck shows a thermal reactor (fig. 1) having an inner chamber (10) outer chamber (12) a first conveyor, includes a first screw section (36, auger); and a thermal oxidizer (26), feed hopper (16), controllably feeding (18).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oeck (4,412,889) in view of Kawakami (4474524). Oeck discloses a thermal reactor (fig. 1) having an inner chamber (10) outer chamber (12) a first conveyor, includes a first screw section (36, auger); and a thermal oxidizer (26), feed hopper (16). Kawakami teaches side by side relationship and first subchamber and second sub chamber (fig. 3) for the purpose of more effectively transporting the material. It would have been obvious to one of ordinary skill in the art to modify Oeck by including side by side relationship and first subchamber and second sub

chamber as taught by Kawakami for the purpose of more effectively transporting the material.

The applicant is substituting one known element for another to obtain predictable results.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oeck (4,412,889) in view of Bayer (5,376,340). Oeck discloses a thermal reactor (fig. 1) having an inner chamber (10) outer chamber (12) a first conveyor, includes a first screw section (36, auger); and a thermal oxidizer (26), feed hopper (16). Bayer et al teaches first and second subchambers divided by baffle means (42, 30, 52, 42, 30, figure 1) for the purpose of preventing pollutants from entering the atmosphere. It would have been obvious to one of ordinary skill in the art to modify Oeck by including first and second subchambers divided by baffle means as taught by Bayer et al for the purpose of eliminating pollutants and thus meet environmental regulation regarding air pollution.

Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oeck (4,412,889) in view of Noland (RE 33776). Oeck discloses a thermal reactor (fig. 1) having an inner chamber (10) outer chamber (12) a first conveyor, includes a first screw section (36, auger); and a thermal oxidizer (26), feed hopper (16). Noland teaches a waste conveyor (18), a feed screw (12) for the purpose of transporting the waste. It would have been obvious to one of ordinary skill in the art to modify Oeck by including a waste conveyor, a feed screw as taught by Noland for the purpose of transporting the waste. The applicant is merely combining prior art according to known methods to yield predictable results.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oeck (4,412,889) in view of Yung (5147421). Oeck discloses a thermal reactor (fig. 1) having an inner chamber (10) outer chamber (12) a first conveyor, includes a first screw section (36, auger); and a thermal oxidizer (26), feed hopper (16). Yung teaches atomizer (col. 5, lines 1-14) for the purpose of

disposing of the waste stream. It would have been obvious to one of ordinary skill in the art to modify Oeck by including atomizer as taught by Yung for the purpose of disposing of the waste stream. The applicant is combining prior art elements according to known methods to yield predictable results.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oeck (4,412,889) in view of Loken (3,954,069). Oeck discloses a thermal reactor (fig. 1) having an inner chamber (10) outer chamber (12) a first conveyor, includes a first screw section (36, auger); and a thermal oxidizer (26), feed hopper (16). Loken teaches dryer (2, 4, fig. 1, column 2, lines 39-49) for the purpose of improving the efficiency of the system. It would have been obvious to one of ordinary skill in the art to modify Oeck (4,412,889) by including dryer means as taught by Loken for the purpose of improving the efficiency of the system. The applicant is combining prior art elements according to known methods to yield predictable results.

Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oeck (4,412,889) in view of Martin. Oeck discloses a thermal reactor (fig. 1) having an inner chamber (10) outer chamber (12) a first conveyor, includes a first screw section (36, auger); and a thermal oxidizer (26), feed hopper (16). Martin teaches a steam generator, turbine (col. 9, lines 4-10) for the purpose of providing a more energy efficient system. It would have been obvious to one of ordinary skill in the art to modify Oeck by including a steam generator, turbine as taught by Martin for the purpose of providing a more energy efficient system. The applicant is combining prior art elements according to known methods to yield predictable results.

Allowable Subject Matter

Claim 21 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Rinehart whose telephone number is 571-272-4881. The examiner can normally be reached on 7:10 -4:10.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven McAllister can be reached on 571-272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kbr

/Kenneth B Rinehart/
Primary Examiner, Art Unit 3749

